

VZCZCXRO2848
OO RUEHDE RUEHROV RUEHTRO
DE RUEHNR #0719/01 0981736
ZNR UUUUU ZZH
O 081736Z APR 09
FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9127
INFO RUCNSOM/SOMALIA COLLECTIVE PRIORITY
RHEHNSC/NSC WASHDC
RUEKDIA/DIA WASHDC
RUEAIIA/CIA WASHDC
RHMFIUU/CJTF HOA
RUZEFAA/CDR USAFRICOM STUTTGART GE
RUZEFAA/HQ USAFRICOM STUTTGART GE
RHMFIUU/CDR USCENTCOM MACDILL AFB FL

UNCLAS SECTION 01 OF 03 NAIROBI 000719

SIPDIS

SENSITIVE

DEPT FOR AF/E AND ACTING A/S CARTER

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [SO](#)

SUBJECT: SOMALIA - Somaliland Sets Election Date Amid Protest

REF: Nairobi 645

¶1. (SBU) SUMMARY. On April 6, Somaliland's National Electoral Commission (NEC) announced September 27 as the new date for presidential elections citing technical and legal reasons for postponing the date from May 31. Although the voter registration law requires the NEC to make decisions regarding the electoral process only after agreement between the NEC and the political parties, the opposition parties were not consulted. This announcement was made in the wake of the March 28 decision by the Guurti (House of Elders) to extend President Riyale's term to October 29 (reftel). To cement the decisions, President Riyale issued an April 6 decree approving the Guurti's extension of his term and endorsing the September 27 election date. National demonstrations on April 6 commemorating the Somali National Movement were divided, with parallel celebrations by the ruling and opposition parties. Police ended the peaceful rally led by Kulmiye's presidential candidate Mohamed Silanyo by firing shots in the air to disperse the crowd. There were no casualties but the political climate has become highly confrontational. Each party has resisted the consensus politics that have characterized Somaliland. Post has initiated calls to key stakeholders, including President Riyale, to urge a return to dialogue and is conducting public diplomacy activities in coordination with other international missions. End summary.

Electoral Date Set
Disregard for Voter Registration Law

¶2. (SBU) On April 6, the NEC announced September 27 as the new date for presidential elections. The NEC press release cited technical and legal reasons for postponing elections from May 31, the date to which all parties had agreed. Somaliland's electoral law established a code of conduct which states that all major decisions regarding voter registration and the starting dates for the electoral campaign must be made only after agreement between the NEC and the political parties. The NEC made its announcement unilaterally, without consultation or dialogue with the parties. Some have alleged that this decision is against the law while others offer legal arguments to defend the NEC prerogative to set the date on its own. All agree that the spirit of dialogue, compromise, and consensus that has guided the electoral process has been violated.

¶3. (SBU) Our NGO partner Interpeace, which has been working closely with the NEC and the political parties on the voter registration process, called a steering committee meeting on April 7 with its donors to underline the grave nature of the current political climate. Interpeace representatives detailed the worsening atmosphere, primarily the escalating confrontation between President

Riyale and leading opposition candidate Mohamed Silanyo. They told us that both men are desperate to win the presidency and each have competing strategies to do so. Silanyo publicly states that he no longer recognizes Riyale as president and is advocating a power-sharing agreement to establish a caretaker government prior to the elections. (Note: Silanyo's position that April 6 is the end of Riyale's term in office is based on the agreement that was reached in 2008 after the Guurti's decision to extend Riyale's term by one year).

¶4. (SBU) With no intention to step down or concede an end to his term, on April 6, President Riyale issued a decree approving the Guurti's decision to extend his term to October 29 and endorsed the September 27 election date proposed by the NEC. Representatives from the ruling UDUB party reportedly told Interpeace that there is no longer a need for consensus because the opposition was using it as a tool to undermine the nation. They charge that so long as Kulmiye and Silanyo have "veto power" the opposition can forestall any decision about the electoral process. UDUB leaders contend that while they have reached out to Silanyo, he refuses to come to the table.

¶5. (SBU) Silanyo has countered with his own claims that Riyale is engineering delays to perpetually postpone elections and to ensure that his ruling party takes every advantage, even defying the law to ensure it stays in power. While Silanyo said he would abide by any decision reached by the NEC, he is not arguing about the specific election date, but the "illegal" process that produced it. The smaller UCID political party is attempting to mediate, but without sufficient leverage. Some contacts told us that UCID is trying to maintain a low profile and gain the support from former UDUB and

NAIROBI 00000719 002 OF 003

Kulmiye supporters who UCID expects will peel off in disgust with the behavior of both Riyale and Silanyo. At present, there is no formal dialogue and all parties are too entrenched to make the first move to return to consensus politics.

Shots Fired
Political Confrontation Deepens

¶6. (SBU) The contentious split between the political class was on display during the annual commemoration of the Somali National Movement (SNM), an armed resistance group formed against Siad Barre's government. While honoring the SNM is typically a national event, on April 6 there were parallel celebrations by Kulmiye party supporters. In the days preceding the event, the government outlawed any public gatherings to avoid what it said could become violent demonstrations. It finally allowed Kulmiye opposition party leaders and supporters to converge at party headquarters in Hargeisa. The commemoration occurred initially without interruption from Somaliland authorities as hundreds of youth, SNM veterans, and traditional elders peacefully assembled. However as the event ended, police dispersed Kulmiye supporters with gunshots in the air as they lifted Silanyo to their shoulders to escort him to his nearby house. There were no reports of casualties.

¶7. (SBU) Some of our contacts told us the commemoration turned violent when youth began goading the police. UDUB leaders said that Kulmiye's strategy is to "incite violence," leading the government into situations where it will overreact, thus increasing Silanyo's eventual chances at the polls. In an April 7 meeting with visiting Minister of Interior Abdillahi Ismail Ali, we registered our concern with the April 6 confrontation between police and Kulmiye. The Minister told us the government respects the constitutional right to freedom of assembly but that police do not have the proper training or equipment to carry out effective crowd control and with high unemployment, there is a constant threat of looting. He said that he would personally like to see the electoral process conclude as quickly as possible because it is challenging the state security apparatus. We urged him to ensure the government takes the lead in preserving the peace while balancing security with democratic freedoms to ensure a free and transparent electoral process.

¶8. (SBU) On April 6, a government-organized event to commemorate

SNM's anniversary was held at a Hargeisa hotel. (Note: The government has banned any political parties, except UDUB, from using hotels for meetings and public gatherings.) SNM veterans and government officials attended the event. Also present was UCID Chairman and presidential candidate, Faisal Ali Warabe. In his speech, Warabe stated that the Guurti's decision was illegal and that Kulmiye should not be condemned for its stand. There should be dialogue and compromise on the election dates, he said. Peaceful demonstrations were held in Togdeer, Sahil regions as well as Berbera town after police backtracked from earlier order against demos in these areas.

Voter Registration - A Success

¶9. (SBU) On a positive note, Interpeace reported that the voter registration process was advancing and most expected that the final voter list would be ready by early to mid-May (in enough time for the previous May 31 election date). This list will be the result of an advanced computerized system that employs facial recognition and fingerprint identification to certify registrants. Over 1.3 million photos have been fed into the facial recognition software to weed out any duplicates. Interpeace noted that there were over 100,000 irregular photos, many from registrations concentrated in the ruling UDUB party strongholds. Interpeace estimated that the final voter list will include between 650,000 to 800,000 registrants.

¶10. (SBU) Interpeace representatives noted that the acceptance of the list by all stakeholders will be a political not a mechanical issue. They said that because of the successful system, technical difficulties can no longer be an excuse for any shortcomings in the voter registration process. Interpeace concluded that the real weakness is in the ineffectual and compromised NEC and the stakeholders who are attempting to use the electoral body to accomplish individual political agendas.

Post Actions

NAIROBI 00000719 003 OF 003

¶11. (SBU) On April 8, Somalia Unit Counselor called President Riyale to underscore our deep concern with recent events and the lack of visible commitment of the government to reach consensus. Riyale insisted that the decision to postpone the election was not his government's, and attempted to fault the protracted voter registration process and Kulmiye, which he said "is not interested in transparency." Riyale was adamant that the an unspecified "force majeure" had forced postponement, and seemed unwilling to commit to reaching consensus with his political opponents. He accused the opposition of "incitement." Lamenting what he said was a lack of assistance from the international community, insisted that the Somaliland government had to defend itself from "mobs" of the sort who allegedly assembled on April 6.

¶12. (SBU) On April 7, we met with Somaliland Minister of Interior Abdillahi Ismail Ali. Post will call other government representatives, and opposition leaders Mohamed Silanyo and Faisal Ali Warabe. In all of these conversations, we have and will make the following points:

-- It is important that at this critical juncture to keep the peace.

-- We are extremely concerned by the events of April 6 with state security forces using gunfire to disperse a peaceful crowd.

-- It appears that all parties are more concerned with confrontation, rather than consensus. Violence must be avoided at all costs.

-- The dialogue process appears to have stalled, all parties must open a channel of communication to gain consensus on the electoral process.

-- A return to consensus politics will demonstrate the commitment of the Somaliland government to ensure free, fair, and transparent elections.

-- Somaliland's reputation hinges on democratic progress, including freedom of speech and assembly.

-- The era of impunity is over and all leaders have a personal

responsibility to reach consensus and preserve Somaliland's democratic gains.

-- Somaliland's democratic progress appears under threat and this will greatly endanger any eventual case for recognition.

¶13. (SBU) Following a recommendation from the donor steering committee organized by Interpeace, we drafted a joint press release to publicly state international concern with recent events. We urged calm and a return to dialogue and consensus politics. The donor group also decided to write a letter to the NEC and all the political parties announcing that while international support for the voter registration process will enable it to successfully conclude, we will withhold financial support for the elections unless the process is agreed by all parties. The international representatives agreed that only a decisive action, threatening to withhold aid, will break the stalemate and encourage all actors to return to the table and force dialogue. We plan to schedule interviews for the Ambassador with Somaliland media outlets to underscore these points.

RANNEBERGER